(2) An owner/operator of a hazardous waste treatment, storage, or disposal facility stores such wastes in tanks, containers, or containment buildings solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal and:

(i) Each container is clearly marked to identify its contents and the date each period of accumulation begins;

(ii) Each tank is clearly marked with a description of its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, or such information for each tank is recorded and maintained in the operating record at that facility. Regardless of whether the tank itself is marked, an owner/operator must comply with the operating record requirements specified in §264.73 or §265.73.

(3) A transporter stores manifested shipments of such wastes at a transfer facility for 10 days or less.

(b) An owner/operator of a treatment, storage or disposal facility may store such wastes for up to one year unless the Agency can demonstrate that such storage was not solely for the purpose of accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal.

(c) An owner/operator of a treatment, storage or disposal facility may store such wastes beyond one year; however, the owner/operator bears the burden of proving that such storage was solely for the purpose of accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal.

(d) If a generator’s waste is exempt from a prohibition on the type of land disposal utilized for the waste (for example, because of an approved case-by-case extension under §268.5, an approved §268.6 petition, or a national capacity variance under subpart C), the prohibition in paragraph (a) of this section does not apply during the period of such exemption.

(e) The prohibition in paragraph (a) of this section does not apply to hazardous wastes that meet the treatment standards specified under §§268.41, 268.42, and 268.43 or the treatment standards specified under the variance in §268.44, or, where treatment standards have not been specified, is in compliance with the applicable prohibitions specified in §268.32 or RCRA section 3004.

(f) Liquid hazardous wastes containing polychlorinated biphenyls (PCBs) at concentrations greater than or equal to 50 ppm must be stored at a facility that meets the requirements of 40 CFR 761.65(b) and must be removed from storage and treated or disposed as required by this part within one year of the date when such wastes are first placed into storage. The provisions of paragraph (c) of this section do not apply to such PCB wastes prohibited under §268.32 of this part.

(g) The prohibition and requirements in this section do not apply to hazardous remediation wastes stored in a staging pile approved pursuant to §264.554 of this chapter.


APPENDIXES I–II TO PART 268
[RESERVED]

APPENDIX III TO PART 268—LIST OF HALOGENATED ORGANIC COMPOUNDS REGULATED UNDER §268.32

In determining the concentration of HOCs in a hazardous waste for purposes of the §268.32 land disposal prohibition, EPA has defined the HOCs that must be included in a calculation as any compounds having a carbon-halogen bond which are listed in this Appendix (see §268.2). Appendix III to Part 268 consists of the following compounds:

I. VOLATILES

1. Bromodichloromethane
2. Bromomethane
3. Carbon Tetrachloride
4. Chlorobenzene
5. 2-Chloro-1,3-butadiene
6. Chlorodibromomethane
7. Chloroethane
8. 2-Chloroethyl vinyl ether
9. Chloroform
10. Chloromethane
11. 3-Chloropropene
12. 1,2-Dibromo-3-chloropropane
13. 1,2-Dibromomethane
14. Dibromomethane
15. Trans-1,4-Dichloro-2—butene
16. Dichlorodifluoromethane
17. 1,1-Dichloroethane

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18. 1,2-Dichloroethane  12. Endosulfan II  
19. 1,1-Dichloroethylene  13. Endrin  
20. Trans-1,2-Dichloroethene  14. Endrin aldehyde  
21. 1,2-Dichloropropane  15. Heptachlor  
22. Trans-1,3-Dichloropropene  16. Heptachlor epoxide  
23. cis-1,3-Dichloropropene  17. Isodrin  
24. Iodomethane  18. Kepone  
25. Methylene chloride  19. Methoxychlor  
26. 1,1,1,2-Tetrachloroethane  20. Toxaphene  
27. 1,1,2,2-Tetrachloroethane  
II. SEMIVOLATILES  
1. Bis(2-chloroethoxy)ethane  
2. Bis(2-chloroethyl)ether  
3. Bis(2-chloroisopropyl)ether  
4. p-Chloroaniline  
5. Chlorobenzilate  
6. p-Chloro-m-cresol  
7. 2-Chloronaphthalene  
8. 2-Chlorophenol  
9. 3-Chloropropionitrile  
10. m-Dichlorobenzene  
11. o-Dichlorobenzene  
12. p-Dichlorobenzene  
13. 3,3′-Dichlorobenzidine  
14. 1,2,4-Dichlorophenol  
15. 1,2,6-Dichlorophenol  
16. Hexachlorobenzene  
17. Hexachlorobutadiene  
18. Hexachlorocyclopentadiene  
19. Hexachloroethane  
20. Hexachloropropene  
21. Hexachloropropene  
22. 4,4′-Methylenebis(2-chloroaniline)  
23. Pentachlorobenzene  
24. Pentachloroethane  
25. Pentachloronitrobenzene  
26. Pentachlorophenol  
27. Pronamide  
28. 1,2,4,5-Tetrachlorobenzene  
29. 2,3,4,6-Tetrachlorophenol  
30. 1,2,4-Trichlorobenzene  
31. 2,4,5-Trichlorophenol  
32. 2,4,6-Trichlorophenol  
33. Tris(2,3-dibromopropyl)phosphate  
III. ORGANOCHLORINE PESTICIDES  
1. Aldrin  
2. alpha-BHC  
3. beta-BHC  
4. delta-BHC  
5. gamma-BHC  
6. Chlorodane  
7. DDD  
8. DDE  
9. DDT  
10. Dieldrin  
11. Endosulfan I  

IV. PHENOXACYCIC ACID HERBICIDES  
1. 2,4-Dichlorophenoxyacetic acid  
2. Silvex  
3. 2,4,5-T  

V. PCBs  
1. Aroclor 1016  
2. Aroclor 1221  
3. Aroclor 1232  
4. Aroclor 1242  
5. Aroclor 1248  
6. Aroclor 1254  
7. Aroclor 1260  
8. PCBs not otherwise specified  

VI. DIOXINS AND FURANS  
1. Hexachlorodibenz-p-dioxins  
2. Hexachlorodibenzofuran  
3. Pentachlorodibenz-p-dioxins  
4. Pentachlorodibenzofuran  
5. Tetrachlorodibenz-p-dioxins  
6. Tetrachlorodibenzofuran  
7. 2,3,7,8-Tetrachlorodibenzo-p-dioxin  
[65 FR 81380, Dec. 26, 2000]  
APPENDIX IV TO PART 268—WASTES EXCLUDED FROM LAB PKACS UNDER THE ALTERNATIVE TREATMENT STANDARDS OF §268.42(c)  
Hazardous waste with the following EPA Hazardous Waste Codes may not be placed in lab packs under the alternative lab pack treatment standards of §268.42(c): D009, F019, K003, K004, K005, K006, K062, K071, K100, K106, P010, P011, P012, P076, P078, U134, U151.  
[59 FR 46107 Sept. 19, 1994]  
APPENDIX VI TO PART 268 [RESERVED]  
APPENDIX VI TO PART 268—RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN SECTION 268.42  
The treatment standard for many characteristic wastes is stated in the §268.40 Table of Treatment Standards as “Deactivation and meet UTS.” EPA has determined that many technologies, when used alone or in combination, can achieve the deactivation portion of the treatment standard. Characteristic wastes that are not managed in a facility regulated by the Clean Water Act (CWA) or in a CWA-equivalent facility, and